

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA )  
 ) Case No. 1:11-cr-032-TRM-SKL-02  
v. )  
 )  
JAMES CARTER NELSON )

**MEMORANDUM AND ORDER**

JAMES CARTER NELSON, (“Defendant”) appeared for a hearing on April 21, 2021, in accordance with Rules 5 and 32.1 of the Federal Rules of Criminal Procedure on the Petition for a Warrant for an Offender Under Supervision (“Petition”) in the above matter.

Defendant was placed under oath and informed of his constitutional rights. It was previously determined that Defendant wished to be represented by an attorney and he qualified for appointed counsel. Federal Defender Services of Eastern Tennessee was appointed to represent Defendant. It was also determined that Defendant had been provided with and reviewed with counsel a copy of the Petition.

The Government moved that Defendant be detained without bail pending his revocation hearing before U.S. District Judge McDonough. Defendant waived his right to a preliminary hearing and a detention hearing.

Based upon the Petition and waiver of preliminary hearing, the Court finds there is probable cause to believe Defendant has committed violations of his condition of supervised release as alleged in the Petition.

Accordingly, it is **ORDERED** that:

(1) Counsel for Defendant and the Government shall confer and make best efforts to submit to U.S. District Judge McDonough a proposed Agreed Order with respect to an appropriate disposition of the Petition for Warrant for Offender Under Supervision.

(2) In the event counsel are unable to reach agreement with respect to an appropriate disposition of the Petition for Warrant for Offender Under Supervision, they shall request a hearing before U.S. District Judge McDonough.

(3) The Government’s motion that Defendant be **DETAINED WITHOUT BAIL** pending further order from this Court is **GRANTED**.

SO ORDERED.

ENTER.

*s/ Susan K. Lee*

SUSAN K. LEE  
UNITED STATES MAGISTRATE JUDGE